

March 4, 1974

handled as a lawyer representing people who were charged with crimes and defended them, including drug crimes and I am shocked and bothered by the drug traffic. I find it detestable and I think that we have got the support of this is just to reverse the values and we are trying to protect people who are engaged in criminal activity. This is just as criminal as anything else. I would like to encourage everybody who voted red before to vote red again on this amendment. Because this amendment doesn't do what the question addressed to Senator Fowler to me earlier in the debate said that it would do. That would be a perfectly good amendment. This merely reduces this whole thing down and protects a person who is intentionally committing a crime. It is an accident but it isn't a crime. The accident is that it turns out to be sugar rather than heroine. Every other element of the crime exists. The intent exists. More often than not the person probably either thought that it was heroine or knew that it wasn't and was even doing more harm. I think that everybody that voted against the kill motion should vote against this and we should be on with it and I renew my statement that I would support an appropriate amendment to leave a present misdemeanor at a misdemeanor but this changes the whole thing and this is not to carry out the intent of your last vote.

PRESIDENT: Any further discussion of the motion? Alright Senator Fowler do you care to close on your motion? No closing. The question is, shall the Fowler amendment to 747 be adopted on Select File. All those in favor vote aye, those opposed vote no. You are voting on the adoption of the Stahmer amendment to 747 on Select File. Once again, have you all voted? Clerk will record.

CLERK: 4 ayes, 28 nays and 17 not voting.

PRESIDENT: Motion is lost. Are there other amendments now to the bill?

CLERK: None, Mr. President.

PRESIDENT: Alright, we need a motion to advance the bill. Chair recognizes Senator

SENATOR (mike not activated)

PRESIDENT: Motion now is shall 747 be advanced from Select File. All those in favor of advancing the bill vote aye, those opposed vote no. We are voting on the advancement of 747 from Select File. Motion is to advance the bill. Have you all voted? Advancing 747 from Select File. OK, Clerk will record.

CLERK: 28 ayes, 3 nays and the remainder not voting.

PRESIDENT: Bill is advanced. What else do we have on the desk. Did you tell me that you had some bills for introduction?

CLERK: I have a communication from the Governors office.

PRESIDENT: Read the communication.

CLERK: Read Message from the Governor. Appears on page 903 of the Legislative Journal. I have another committee report Mr. President. Read E&R report.

(end belt #3)